

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

CLAUDE EMILE

Plaintiff,

V.

WELLS FARGO BANK, N.A.

Defendant.

Civil Action No. 15-cv-77-M-LDA

**DEFENDANT, WELLS FARGO BANK, N.A.'S MOTION TO EXTEND DISPOSITIVE  
MOTION DEADLINE**

Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) respectfully moves this Court to issue an Order extending the deadline to file dispositive motions to November 21, 2018. The requested extension will permit Wells Fargo to complete its review of the most recent, and higher, short sale offer and allow the Parties to continue to explore resolution of this matter, which involves Plaintiff Claude Emile’s challenges to Wells Fargo’s foreclosure of her mortgage. As grounds for this request, Wells Fargo states the following:

As indicated in Wells Fargo’s previous Motion to Extend Dispositive Motion Deadline (filed September 21, 2018, *see* ECF No. 32), Wells Fargo’s undersigned counsel has identified an alternative path to review the proposed short sale offer from a third-party buyer, Boston Community Capital (“BCC”) and was awaiting receipt of an updated, proposed closing disclosure statement. Plaintiff’s real estate broker provided the new statement to undersigned counsel the afternoon of October 4, 2018. After review, undersigned counsel forwarded the new offer to Wells Fargo on October 5, 2018.

Wells Fargo's review of the proposed short sale is ongoing. Undersigned defense counsel expects to receive a decision from Wells Fargo by the end of the week, October 26, 2018. If Wells Fargo accepts the proposed short sale, the Parties will be in a position to resolve this litigation. Accordingly, Wells Fargo respectfully requests that the dispositive motion deadline be extended for thirty (30) days, up through and including November 21, 2018.

Wells Fargo's request is not being made for the purpose of delay, but rather to allow the short sale review process to proceed and to afford the Parties time to discuss alternative settlement proposals should the short sale offer be rejected. Extending the deadline will also conserve the resources of the Parties (and this Court) and potentially avoid the need for further litigation. Further, extending the deadline will not prejudice the Plaintiff because she remains in possession of the property at issue in this litigation.

WHEREFORE, based on the foregoing, Defendant Wells Fargo Bank, N.A. respectfully requests that this Court grant its Motion and enter an Order extending the deadline for filing dispositive motions to November 21, 2018.

Respectfully submitted,

Defendant,  
Wells Fargo Bank, N.A.

By its Attorney,

/s/ Michael E. Jusczyk  
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Dated: October 22, 2018

**CERTIFICATE OF SERVICE**

I, Michael E. Jusczyk, hereby certify that this document has been filed electronically and is available for viewing and downloading from the ECF system. I further certify that this document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 22, 2018.

/s/ Michael E. Jusczyk  
Michael E. Jusczyk